



AGREEMENT

between the European Union and the Republic of North Macedonia on the participation of North Macedonia in the ISA² Programme

THE EUROPEAN COMMISSION, hereinafter referred to as ‘the Commission’, on behalf of the European Union,

of the one part, and

THE GOVERNMENT OF THE REPUBLIC OF NORTH MACEDONIA, hereinafter referred to as ‘North Macedonia’, on behalf of North Macedonia,

of the other part,

Whereas:

- (1) A Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part (the ‘Stabilisation and Association Agreement’) has been concluded¹ on 23 February 2004. A Protocol to the Stabilisation and Association Agreement on general principles for the participation of North Macedonia in Union programmes was signed on 22 November 2004² and entered into force on 29 June 2005³. Article 5 of that Protocol stipulates that the specific terms and conditions, including the financial contribution, with regard to the participation of North Macedonia in each particular programme, will be determined by an Agreement between the European Commission and the competent authorities of North Macedonia.
- (2) The Programme on interoperability solutions and common frameworks for European public administrations, businesses and citizens (‘ISA² programme’) was established by Decision (EU) No 2015/2240 of the European Parliament and of the Council of 25 November 2015⁴,

HAVE AGREED AS FOLLOWS:

Article 1

Programme

North Macedonia shall participate in the ISA² Programme (hereinafter called ‘the Programme’), in accordance with the conditions laid down in the abovementioned Protocol to the Stabilisation and Association Agreement and under the terms and conditions referred to in Articles 2 to 6 of this Agreement.

¹ Council and Commission Decision 2004/239/EC, EURATOM of 23 February 2004, OJ L 84, 20.3.2004, p. 1.

² Council Decision 2005/520/EC, OJ L 192, 22.7.2005, p. 22.

³ OJ L 192, 22.7.2005, p. 88.

⁴ OJ L 318, 4.12.2015, p. 1.

Article 2

Terms and conditions with respect to participation in the Programme

1. North Macedonia shall participate in the activities of the Programme in conformity with the objectives, criteria, procedures and deadlines set out in Decision (EU) No 2015/2240.
2. The terms and conditions applicable to the submission, assessment and selection of applications by eligible institutions, organisations and individuals of North Macedonia shall be the same as those applicable to eligible institutions, organisations and individuals of the Member States of the European Union.
3. To participate in the Programme, North Macedonia shall pay every year a financial contribution to the General Budget of the European Union in accordance with Article 3.
4. The financial contribution of North Macedonia in respect of its participation and implementation of the Programme shall be added to the amount earmarked each year in the General Budget of the European Union for commitment appropriations to meet the financial obligations arising out of different forms of measures necessary for the execution, management and operation of the Programme.
5. One of the official languages of the European Union shall be used for the procedures related to requests, contracts and reports, as well as for other administrative aspects of the Programme.

Article 3

Financial contribution

The rules governing the financial contribution of North Macedonia are set out in the Annex to this Agreement.

Article 4

Reporting and evaluation

1. Without prejudice to the responsibilities of the Commission and the Court of Auditors of the European Union in relation to the monitoring and evaluation of the Programme, the participation of North Macedonia in the Programme shall be continuously monitored on a partnership basis involving the Commission and North Macedonia. North Macedonia shall submit to the Commission relevant reports and take part in other specific activities provided for by the Union in that context.
2. In accordance with Regulation (EC, Euratom) No 966/2012 of the European Parliament and the Council⁵ and Commission Delegated Regulation (EC, Euratom) No 1268/2012⁶ and with the other rules referred to in this Agreement, the contracts concluded with beneficiaries of the Programme established in North Macedonia shall provide for financial or other audits, on the basis of documents and on the spot,

⁵ Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 (OJ L 298, 26.10.2012, p. 1).

⁶ Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union (OJ L 362, 31.12.2012, p. 1).

to be conducted at any time by Commission agents or by other persons mandated by the Commission.

3. Commission officials or agents and other persons mandated by the Commission shall have appropriate access to documents and to all the information required in order to carry out such audits, including in electronic form. That right of access shall be stated explicitly in the contracts concluded to implement the instruments referred to in this Agreement. The Court of Auditors of the European Union shall have the same rights as the Commission.

Article 5

Final provisions

1. This Agreement shall apply for the duration of the Programme or until the accession of North Macedonia to the European Union, whichever comes first.
2. Projects and activities in progress at the time of termination, as well as the contractual arrangements applying to them, shall continue until their completion under the conditions laid down in this Agreement.
3. The annex shall form an integral part of this Agreement.
4. This Agreement may only be amended in writing by common consent of the parties.
5. This Agreement shall enter into force on the day of signature by both Parties.

Signed in two original copies in English.

Done at Brussels on April 2020.

For the European Commission on the
behalf of the European Union,

Done at Skopje on April 2020.

For the Government of the Republic of North
Macedonia,

Johannes Hahn

Member of the Commission for Budget and
Administration

Damjan Manchevski

Minister of Information Society and
Administration of North Macedonia

Annex

Rules governing the financial contribution of the Republic of North Macedonia in the ISA² Programme

1. The financial contribution to be paid by North Macedonia to the General Budget of the European Union to participate in ISA² programme budget lines of the Programme shall be the following:
EUR 18 320 for the year 2020.
For the first calendar year of its participation, North Macedonia will pay a contribution calculated from the date of participation to the end of the year on a pro-rata monthly basis.
Travel costs and subsistence costs incurred by representatives and experts of North Macedonia for the purposes of taking part as observers in the work of the committee referred to in Article 12 of Decision (EU) No 2015/2240 adopting the Programme or other meetings related to the implementation of the Programme shall be reimbursed by the Commission on the same basis as and in accordance with the procedures currently in force for representatives of the Member States of the European Union.
2. The Financial Regulation applicable to the General Budget of the European Union shall apply to the management of the contribution of North Macedonia.
3. After this Agreement is signed and at the beginning of each subsequent budgetary year, the Commission shall send to North Macedonia a call for funds corresponding to its contribution of the costs covered by this Agreement.
4. That contribution shall be paid in Euro to a Euro denominated bank account of the Commission.
5. North Macedonia shall pay its contribution to the annual costs in accordance with the call for funds request no later than three months after the date of the call.

Any delay in the payment of the contribution shall give rise to the payment of default interest by North Macedonia on the outstanding amount from the due date. The interest rate shall be the rate applied by the European Central Bank to its main refinancing operations, as published in the C series of the Official Journal of the European Union, in force on the first calendar day of the months in which the deadline falls, increased by 3.5 percentage points. In case the delay in the payment of the contribution is such that it may significantly jeopardise the implementation and management of the Programme, and in the absence of payment 20 working days after a formal letter of reminder has been sent by the Commission to North Macedonia, participation of North Macedonia in the Programme for the concerned year will be suspended.